

## UNITED STATES DISTRICT COURT

FILED  
CHARLOTTE, NC

for the

Western District of North Carolina

MAY 17 2018

United States of America

v.

Case No. 3:18-mj- 162

US District Court  
Western District of NC

Adolpho Figuera-Almanza

*Defendant(s)*

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of April 27, 2018 in the county of Union in the  
Western District of North Carolina, the defendant(s) violated:*Code Section*

21 U.S.C. 841(a), 841(b)(1)(A)

*Offense Description*

PWID five hundred (500) grams or more of methamphetamine

~~8, U.S.C. 1326(a) and (b)(2)~~~~Illegal reentry by aggravated felon~~

DCK

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.*Complainant's signature*

Timothy Bradley, HSI Special Agent

*Printed name and title*

Sworn to before me and signed in my presence.

Date: 05/17/2018*Judge's signature*City and state: Charlotte, North Carolina

U.S. Magistrate Judge David C. Keesler

*Printed name and title*

**ATTACHMENT A:**  
**Affidavit in Support of Criminal Complaint and Arrest Warrants**  
**for Adolfo FIGUEROA-Almanza**

I, Timothy Bradley, Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (HSI), being duly sworn and deposed, state as follows:

**BACKGROUND/INTRODUCTION**

1. Your Affiant is an investigator or law enforcement officer of the United States within the meaning of Title 18, United States Code, Section 2510(7), that is, an officer of the United States who is empowered to conduct investigations of, and to make arrests for, the offenses enumerated in Title 8, 18, 19, 21, 31 United States Code and other related offenses. I was previously employed as Customs Inspector from 1996 to 2002. I have been employed as a Special Agent with Homeland Security Investigations (HSI) and its predecessor agency, Immigration and Customs Enforcement, since 2002, during which time I have completed the Criminal Investigator Training Program and the Immigration and Customs Enforcement, Special Agent Training programs at the Federal Law Enforcement Training Center.

2. Through investigations and training, I have become familiar with the methods and schemes employed by narcotics dealers to obtain, smuggle and distribute illegal narcotics. I have also become familiar with and utilized a wide variety of investigative techniques, including the use of pen registers, trap and trace devices, and wire communications intercepts. I am currently one of the assigned case agents of the investigation referred to in this Affidavit, which is comprised of representatives from HSI and various other law enforcement agencies.

3. As a result of my personal participation in the investigation of matters referred to in this Affidavit, and based upon reports made to me by other law enforcement officials, I am

familiar with the facts and circumstances of this investigation. The information contained in this Affidavit is provided for the limited purpose of establishing probable cause in support of a criminal complaint and arrest warrant for the above-referenced Defendant; therefore, I have not included each and every fact known to me concerning this investigation.

### **SYNOPSIS OF INVESTIGATION**

1. On April 27, 2018, law enforcement in Union County, within the Western District of North Carolina, attempted to conduct a traffic stop of Defendant Adolfo Figueroa-Almanza, but he fled in his vehicle at a high rate of speed to elude said law enforcement. During the car chase, Defendant Figueroa-Almanza tried to throw away approximately 898 grams of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, into a wooded area. The Defendant then drove his Cadillac Escalade into the backyard fence of a Weddington residence. When he tried to flee on foot, law enforcement tasered him.

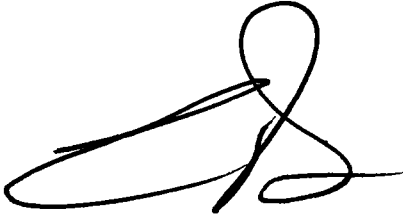
2. Based on training and experience, the methamphetamine seized equates to more than 8,000 dosage units and was possessed with intent to distribute.

3. Defendant Figueroa-Almanza has a prior felony drug conviction for Trafficking Schedule VI (Conspiracy) in North Carolina State docket number 15CRS050587, which is an "aggravated felony" for purposes of new immigration charges. Moreover, he had been previously deported or removed from the United States to Mexico on or about December 8, 2015, and on March 24, 2017. Thus, on April 27, 2018, in Union County, within the Western District of North Carolina, Defendant Adolfo Figueroa-Almanza, an alien, was found in the United States after having been removed and deported therefrom on or about December 8, 2015, and on March 24, 2017, and not having obtained the express consent of the Secretary of

Homeland Security to reapply for admission to the United States, all in violation of Title 8, United States Code, Section 1326(a) and (b)(2).

**CONCLUSION**

Based upon training, experience, and the facts of this investigation, I submit that there is probable cause for a criminal complaint against, and arrest warrant for, Defendant Adolfo FIGUEROA-Almanza, for possession with intent to distribute five hundred (500) grams or more of a mixture and substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a) and 841(b)(1)(A); ~~and illegal reentry by aggravated felon, in violation of Title 8, United States Code, Section 1326(a) and (b)(2);~~ therefore, I request that the Court issue the same. **PK**



AFFIANT, SPECIAL AGENT TIMOTHY BRADLEY  
HOMELAND SECURITY INVESTIGATIONS

*AUSA Steven R. Kaufman has reviewed this Affidavit.*

Subscribed and sworn to by me this 17<sup>th</sup> day of May 2018.

  
THE HONORABLE DAVID C. KEESLER  
UNITED STATES MAGISTRATE JUDGE